



SEP. 23. 2003 1:24PM

OBLON SPIVAK

NO. 179

P. 2

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PAPER NO.

OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C.
1940 DUKE STREET
ALEXANDRIA VA 22314

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AUG 07 2003

OFFICE OF PETITIONS

ON PETITION

In re Application of
Yuki Miyazawa, et al.
Application No. 09/987,549
Filed: November 15, 2001
Attorney Docket No. 215918USO

This is a decision on the petition under 37 CFR 1.313(c)(2), filed by facsimile transmission on August 5, 2003, to withdraw the above-identified application from issue after payment of the issue fee.

The petition is **GRANTED**.

The above-identified application is withdrawn from issue for consideration of a submission under 37 CFR 1.114 (request for continued examination). See 37 CFR 1.313(c)(2).

*Petitioner is advised that the issue fee paid on May 5, 2003, in the above-identified application cannot be refunded. If, however, the above-identified application is again allowed, petitioner may request that it be applied towards the issue fee required by the new Notice of Allowance.*¹

After the application is received in the Office of Petition, the file will be forwarded to Technology Center AU 1616 for further processing of the request for continued examination under 37 CFR 1.114.

Sherry D. Brinkley
Sherry D. Brinkley
Petitions Examiner
Office of Petitions
Office of the Deputy Commissioner
for Patent Examination Policy
(703) 305-9220

RECEIVED: *8-8-03*
OBLON, SPIVAK, McCLELLAND
MAIER & NEUSTADT, P.C.

DOCKETING DEPT.

Initials/Date Docketed: *W8-8-03*
Type of Resp(s):
Due Date(s):

¹The request to apply the issue fee to the new Notice may be satisfied by completing and returning the new Issue Fee Transmittal Form PTOL-85(b), which includes the following language thereon: "Commissioner for Patents is requested to apply the Issue Fee and Publication Fee (if any) or re-apply any previously paid issue fee to the application identified above." Petitioner is advised that, whether a fee is indicated as being due or not, the Issue Fee Transmittal Form must be completed and timely submitted to avoid abandonment. Note the language in bold text on the first page of the Notice of Allowance and Fee(s) Due (PTOL-85).

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OBLON SPIVAK

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P. 3

Dept.: Chemical

By: NFO/TWB/dlc

HANDCARRY

OSMM&N File No. 215918USQ

Serial No. 09/987.549

In the matter of the Application of: Yuki MIYAZAWA et al.

For: TILLERING PROMOTER FOR PLANT AND METHOD FOR TILLERING
PROMOTION OF PLANT

Due Date: N/A

The following has been received in the U.S. Patent Office on the date stamped hereon:

- ☐ Check for \$750.00
- ☐ Request for Continued Examination (RCE) Transmittal
- ☐ Petition to Withdraw from Issue Under 37 C.F.R. §1.313
- ☐ Information Disclosure Statement
- ☐ Form PTO 1449
- ☐ Cited References (2)
- ☐ Dep. Acct. Order Form

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ATTORNEYS AT LAW

FOURTH FLOOR
1755 JEFFERSON DAVIS HIGHWAY
ARLINGTON, VIRGINIA 22202
USA

(703) 413-3000
(703) 413-2220 FACSIMILE

OBLONPAT@OBLON.COM

PATENT, TRADEMARK AND COPYRIGHT LAW
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WWW.OBLON.COM

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TO NAME <u>Alton Pryor</u> COMPANY/FIRM <u>PTO</u> NUMBER OF PAGES INCLUDING COVER: <u>9</u>	September 23, 2003 DATE <u>703-746-4996</u> FAX # CONFIRM FAX: <input type="checkbox"/> YES <input type="checkbox"/> NO
FROM NAME <u>Rohitha M. Jayasuriya</u> <u>703-412-6247</u> DIRECT PHONE #	<u>215918US</u> OUR REFERENCE YOUR REFERENCE

MESSAGE

As requested, I am attaching the signed copies of the RCE, Petition to Withdraw and IDS to expedite prosecution. The filing receipt and approved petition is also attached.

Unless otherwise indicated or obvious from the nature of the transmittal, the information contained in this facsimile message is attorney privileged and confidential information intended for the use of the individual or entity named above. If the reader of this message is not the intended recipient or the employee or agent responsible to deliver it to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error or are not sure whether it is privileged, please immediately notify us by telephone and return the original message to us at the above address via the U.S. Postal Service at our Expense. Thank You.